

FILED
WILLIAMSPORT

JAN 11 2002

MARY E. D'ANDREA, CLERK
Per ~~JOHN CHARLES KENNEY~~
Deputy

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

78
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1-11-02

JOHN CHARLES KENNEY,

Plaintiff,

v.

JAKE MENDEZ, Warden, et al.,
Defendants.

Civil No. 1:00-CV-00-2143

Hon. Judge McClure, Jr.,
(Presiding)

(Magistrate Blewitt)

NOTICE OF APPEAL FROM A MAGISTRATE JUDGE
TO DISTRICT COURT JUDGE PURSUANT TO 28
USCA 636(C)(4) AND CIVIL RULE 73(d)

PLAINTIFF - John Charles Kenney, currently acting pro se in the above captioned action. That upon Tuesday, January 8, 2002 he received an ORDER, dated Jan. 4, 2002 from Honorable Magistrate Judge Blewitt. Hon. Blewitt in his two-page Order had denied Kenney's Motion for Appointment of Counsel. (SEE Docket Item No. 69)(reflecting). Kenney also filed a separate motion for "Reconsideration Supplementation for the Appointment of Counsel [based upon] 'Newly Discovered Evid.'" In the same Order of Jan. 4, 2002 Hon. Judge Blewitt also denied the subsequent motion filed by Kenney. (SEE DI-No. 74)(reflecting). As a result, Kenney hereby files a timely ("NOA") Notice of Appeal. A detailed supporting-brief pursuant to Local Rule LR 72.2 will follow.

Dated: 1/9/02

Respectfully submitted,

Kenny # 05238-041

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JOHN CHARLES KENNEY, Civil No. 1:CV-00-2143
 Plaintiff, Hon. Judge McClure, Jr.
 v. (Presiding)
JAKE MENDEZ, Warden, et al., (Magistrate Blewitt)
 Defendants.

CERTIFICATE OF SERVICE BY AN INCARCERATED LITIGANT

I, John Charles Kenney, plaintiff, acting pro se hereby certify that on Wednesday, January 9, 2002, I had forwarded a true carbon-copy of a one-page ("NOA") Notice of Appeal pursuant to Title 28 USC 636(c)(4) and Civil Rule 73(d). Appealing DI-Nos. 69 and 74. By placing said contents in a post paid first-class, pre-addressed 4 1/8 x 9 1/2 white envelope by mailing it directly to Defendants' Representatives below:

The Honorable Terz
U.S. Attorney's Office
Federal Building, Ste. 316
240 West Third Street
Williamsport PA 17701-6465

Kenny #05238-041
Mr. John Charles Kenney, pro se
Register No. 05238-041